

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT E. COVER,

Defendant.

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CASE NO. 8:11CR149

**MEMORANDUM
AND ORDER**

Before the Court are the Findings and Recommendation of Magistrate Judge F.A. Gossett (Filing No. 42). No objections have been filed. Under 28 U.S.C. § 636(b)(1)(C), the Court has conducted a de novo review of the record and adopts the Findings and Recommendation in their entirety.

IT IS ORDERED:

1. The Magistrate Judge's Findings and Recommendation (Filing No. 42) are adopted in their entirety; and
2. The Defendant's motion to dismiss Count I or II (Filing No. 29) is denied as premature, without prejudice, in accordance with the Findings and Recommendation.

DATED this 29th day of November, 2011.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge